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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 SHANEL K DUNCAN,

12 Plaintiff,

13 v.

14 ALVIN R ALLEN, et al.,

15 Defendant.

16 CASE NO. 3:23-cv-5285 MJP-DWC

17 ORDER ADOPTING REPORT AND
18 RECOMMENDATION

19 The Court, having reviewed the Report and Recommendation of Magistrate Judge David
20 W. Christel, objections to the Report and Recommendation, if any, and the remaining record,
21 does hereby find and ORDER:

22 (1) The Court adopts the Report and Recommendation.

23 (2) The Court concludes Plaintiff has sufficiently stated a Fourteenth Amendment
24 excessive force claim and a Fourteenth Amendment deliberate indifference to medical
 need claim. However, Plaintiff fails to state a claim against Defendants Slothower,
 Jackson, Troyer, Woodley and Pierce County. Accordingly, the Court recommends
 the Motion to Dismiss be granted-in-part and denied-in-part.

25 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants,
26 and to the Hon. David W. Christel

The clerk is ordered to provide copies of this order to all counsel.

Dated January 9, 2024.

Wesley Pekom

Marsha J. Pechman
United States Senior District Judge